

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

AMANDA FRANCES, INC.,

Plaintiff,

v.

PENGUIN RANDOM HOUSE LLC,

Defendant.

Civil Action No.

**DECLARATION OF DANIELLE K. MUÑOZ IN
SUPPORT OF PLAINTIFF'S MOTION FOR
TEMPORARY RESTRAINING ORDER &
PRELIMINARY INJUNCTION**

JURY TRIAL DEMANDED

I, Danielle K. Muñoz, declare and state as follows:

1. I am a partner with Fitch, Even, Tabin & Flannery and serve as counsel for Plaintiff, Amanda Frances, Inc. ("Plaintiff" or "AF, Inc."), in this proceeding.
2. I make this declaration in support of Plaintiff's Motion for Temporary Restraining Order and Preliminary Injunction.
3. I testify to the facts set forth herein upon personal knowledge.
4. Attached hereto as **Exhibit 1** is a true and correct copy of emails from February 2016 referring to AF Inc. as "Team AF".
5. Attached hereto as **Exhibit 2** is a true and correct copy of articles showing AF as a slang for F*ck.
6. Attached hereto as **Exhibit 3** is a true and correct copy of examples of "F*ck" used by AF Inc.
7. Attached hereto as **Exhibit 4** is a true and correct copy of examples of "AF" used by AF Inc.
8. Attached hereto as **Exhibit 5** is a true and correct copy of a screenshot sent to me by Amanda Frances of an email dated September 11, 2019, from an editor at Penguin Random House to Amanda Frances.

9. Attached hereto as **Exhibit 6** is a true and correct copy of a screen print of an excerpt from the Penguin Random House Portfolio website featuring the *Rich AF* book published by Defendant.

10. Attached hereto as **Exhibit 7** is a true and correct copy of various retail outlets selling the *Rich As F*ck* book.

11. Attached hereto as **Exhibit 8** is a true and correct copy of media coverage of the *Rich As F*ck* book.

12. Attached hereto as **Exhibit 9** is a true and correct copy of various definitions of “AF”.

13. Attached hereto as **Exhibit 10** is a true and correct copy of online and advertisement references to the *Rich As F*ck* book as Rich AF.

14. Attached hereto as **Exhibit 11** is a true and correct copy of the *Rich AF* presale order page.

15. Attached hereto as **Exhibit 12** is a true and correct copy of a screenshot sent to me by Amanda Frances of a comment on an Instagram post on Vivian Tu’s public account, @yourrichbff.

I declare under penalty of perjury and pursuant to 28 U.S.C. § 1746 that all the statements made of my own knowledge are true and correct and all statements made on information and belief are believed to be true.

Dated: December 19, 2023

/s/ Danielle K. Muñoz

Danielle K. Muñoz